



Franklin Police Department

Policy and Procedure No. 11- 13

DEPARTMENT MANUAL CHAPTER 430

DATE OF ISSUE
04/21/11

EFFECTIVE DATE
04/21/11

SUBJECT:

Automated License Plate Reader (ALPR)

ISSUING AUTHORITY: Chief Stephen T. Williams

Notes:

PAGE
1 OF 6

☒ NEW
☐ AMENDS
☐ RESCINDS

1) BACKGROUND. To establish policy and procedures for the use of the department's Automated License Plate Reader (ALPR) technology.

2) POLICY. It is the policy of the Franklin Police Department to utilize ALPR technology only for official and legitimate law enforcement purposes, with the goal being to increase efficiency and effectiveness of its public safety efforts in a manner that safeguards the legitimate privacy concerns of law abiding citizens. Sworn department personnel may use the ALPR system for official use only. Any matches received from the ALPR must be verified before enforcement action is taken. ALPR data that is not considered intelligence and investigative information shall be retained for a maximum of 180 days.

3) DEFINITIONS.

- a. **Automated License Plate Reader (ALPR):** A device that uses cameras and computer technology to compare digital images of license plates to lists of known plates of interest.
- b. **Hot List:** License plates associated with vehicles of interest from an associated database, including, but not limited to, NCIC, RMV, Local BOLO's, etc.
- c. **Scan File:** Data obtained by an ALPR of license plates within public view that were read by the device, including potential images of the plate and vehicle on which it was displayed, and information regarding the location of the police cruiser at the time of the ALPR read.

4) PROCEDURES.

A. Overview:

- 1. By making officers better informed and alerting them to potentially dangerous situations, the department believes ALPR technology will enhance both public and officer safety, while increasing an officer's efficiency and effectiveness at

apprehending criminals and dangerous drivers, as well as recovering missing or endangered persons and stolen vehicles.

2. The ALPR works by comparing hot list data with the scan file. The device will alert the operator of potential matches. The operator must take steps to validate the alert itself. Officers should be mindful that the ALPR may produce erroneous alerts due to damaged license plates, misidentification of a plate state (i.e., same letter / number sequence on different states' plates), or the variety of license plate types (i.e., same letters / numbers sequence on various Massachusetts plates).
3. Upon receiving an alert, and prior to stopping any vehicle or taking other enforcement action, the officer shall query the appropriate source database, most often through dispatch or MDT, in order to obtain more detailed information regarding the reason that the vehicle is of interest to law enforcement, and to confirm or dispel the match. Officers shall not take any police action that restricts the freedom of any individual based solely on an ALPR alert, unless validated.

B. Development of the Hot List:

1. A supervisor, designated as the ALPR coordinator, will oversee the system. So as to use the most up to date information, the hot list will be acquired, developed and / or compiled as frequently as possible and available:
 - a. Available NCIC, RMV and other extract downloads will be transferred to the ALPR server manually.
 - b. Officers using the ALPR during their shift may only enter additional vehicles of interest to the hot list for official and legitimate law enforcement purposes, as outlined below in section 4 (B)(2)(k).
 - c. Entries made by officers using the ALPR in the field will automatically be purged at the end of that officer's shift.
2. The hot list may be obtained or compiled from:
 - a. NCIC Stolen Vehicle files, as available;
 - b. NCIC Stolen Plates, as available;
 - c. NCIC Wanted Persons, as available;
 - d. NCIC Missing or Endangered Person files, as available;
 - e. NCIC Federal Immigration Violators, as available;
 - f. NCIC Supervised Release (Federal Probationers), as available;
 - g. NCIC Nationwide Domestic Violence Protection Orders, as available;
 - h. NCIC Violent Gang and Terrorist Organization file, as available;
 - i. NCIC Sexual Offender;

- j. RMV records (suspensions, revocations, insurance violations, etc.);
- k. Official BOLO's or alerts, based on specific and articulable facts of a concern for safety, wrongdoing or criminal investigation, or official law enforcement bulletin or teletype (e.g., vehicles associated with crime incidents, suicidal, missing or wanted persons, AMBER ALERTS, stolen vehicles, or similar vehicles of interest) and;
- l. Franklin Police Department List (vehicles of interest, registrations associated with WMS warrants, investigations, etc.).

C. Usage / Limitations / Security:

- 1. Only sworn officers trained in the use of the ALPR are authorized to operate the equipment. Officers assigned to the cruisers(s) equipped with an ALPR (Cruiser Team Assignments) will be trained and are expected to operate the equipment during their patrol assignments whenever the ALPR is operational. Shift supervisors have the discretion to assign an ALPR equipped cruiser to a trained officer whenever the assigned officer(s) are not working.
- 2. To ensure proper operation of the ALPR, officers assigned to the ALPR cruiser shall do the following during each shift:
 - a. To begin a shift:
 - 1. Log on to computer in the MIRCS office
 - 2. Place flash drive in extension USB cable.
 - 3. Double click on BOSS Client Tools icon.
 - 4. The program opens to the task bar.
 - 5. Right click the icon, synchronize, begin shift, e:/
 - 6. This will give you the current hot lists.
 - 7. In cruiser, place flash drive in USB port of laptop.
 - 8. Log on to the PAGIS application.
 - 9. "BEGIN SHIFT", the lists will import into the application.
 - b. Operate the ALPR cruiser during the shift, taking action on any hits, as appropriate and directed by this policy. Ensure you utilize the "Set Disposition" and "Miss Read" features when applicable during your shift. This will be the only opportunity you will have as a user to correct miss reads and explain discrepancies.
 - c. At the end of each shift:
 - 1. Click "END SHIFT" on cruiser laptop. You should see the data transfer to the flash drive. Log off / remove flash drive.
 - 2. Log on to the computer in the MIRCS office.
 - 3. Place flash drive in extension USB cable.
 - 4. The program opens to the task bar.

5. Right click the icon, synchronize, end shift, e:/
 6. You should see the data transfer.
 7. Remove the flash drive. Log off.
 8. Keep flash drive in your mailbox.
3. Department personnel are responsible for the security of the ALPR data and may only access, use, release and / or disseminate hot list and scan file data for official and legitimate law enforcement purposes:
 - a. As with other similar data, the department will ensure the storage, use and transmission of scan file and hot list data is as secure as reasonably possible. Access to both shall be restricted only to sworn law enforcement personnel.
 - b. To the maximum extent allowed by law, hot list data will be considered confidential information. Security of the hot list data will be the responsibility of the officer using the ALPR or accessing the data.
 - c. To maximum extent allowed by law, scan file data will be considered confidential information. Access to scan files will be secured and controlled by a login / password accessible system, capable of documenting who accessed the information by identity, date and time. Officers may only access data stored in the ALPR server based upon the reasonable belief that the scan file data may be related or useful as part of a specific official action or investigation.
4. All traffic stops must be constitutionally valid. To assist in this goal:
 - a. Since the information contained in the ALPR hot list is not real time data, an ALPR vehicle alert alone does not justify stopping a vehicle or detaining its occupants.
 - b. Officers should not take any police action, other than following the vehicle of interest until an appropriate query of the source database has confirmed an actionable enforcement option.
 - c. Officers are reminded that in certain cases, the driver or occupant of the vehicle may not be the person to whom the registration tag is associated (e.g., an NCIC record for a wanted person, or an RMV match for a suspended operator/owner). In such instances, officers must either develop an independent reason to stop the vehicle (e.g., an unrelated traffic violation), or develop a reasonable belief that the operator or occupant may be the wanted person or suspended driver, before initiating the stop.

- d. Nothing in this policy shall restrict or prohibit an officer from taking appropriate police action based on facts or reasons obtained independently from the ALPR operation.
5. The ALPR should be considered to conduct license plate canvasses in the immediate wake of any homicide, shooting, robbery, kidnapping, AMBER ALERT and / or other major crime or incident. Registration plates or partial plates potentially associated with any such major crime or incident should be entered into the ALPR and compared against the scan file. Conversely, registration plate numbers may be used for exculpatory purposes (e.g., to corroborate a registrant's alibi).
6. The on-duty shift supervisor may approve a mutual aid request for use of the ALPR, as the situation and resources allow. Shift supervisors are encouraged to offer mutual aid to other surrounding communities when they become aware of a serious incident in which the ALPR may be useful (e.g., homicide, shooting, kidnapping, AMBER ALERT, robbery or other serious or violent felony during which the suspect vehicle information is available).
7. Scan files will be retained for a period not to exceed one hundred eighty (180) days, unless there is a reasonable belief that scan file data will be intelligence and investigative information, or become exculpatory evidence in a specific criminal or civil action. In such circumstances, the data will be printed or otherwise extracted for incorporation into the associated case / investigative file, and will be retained indefinitely pending final case disposition.

D. Program Oversight / Evaluation / Audit Review:

1. Damage or other malfunctions to the equipment will be reported to the shift supervisor immediately.
2. All successful uses of the ALPR shall be documented and forwarded to the ALPR Coordinator (Incident Report). The ALPR Coordinator will compile statistics of these uses and provide monthly updates on such uses to the departments Administration, supervisors and ALPR operators.
3. The ALPR Coordinator will be responsible for conducting, reviewing and retaining audits of the ALPR system usage, which should include, but not necessarily be limited, to the following:
 - a. Records of ALPR operators and their ALPR usage, including vehicles of interest added to a hot list by individual officers.
 - b. A listing of access to the departments server, to include access, additions and / or searches of the scan file, in order to verify security of the data and compliance with this policy.

4. A supervisor becoming aware of a possible violation of this policy, including but not limited to the unauthorized access, use, release and / or dissemination of the ALPR data, shall refer the matter for an Administrative Investigation.